HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
HONOURABLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO.19323 OF 2006
Dated:27.09.2006

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Bonthu Papa Rao

…Petitioner

The Station House Officer,
V Town Police Station,
Vijayawada and six others.

…Respondents

HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
HONOURABLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION No.19323 OF 2006

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ORAL ORDER: *(per Hon'ble Sri Justice D.S.R.Varma)*

Heard the learned Government Pleader for Home, representing the learned Advocate General, appearing for the respondents.

2. A letter, dated 06.09.2006, addressed to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, by one Bonthu Papa Rao, resulted in registering the present Taken Up Writ Petition. In the said letter, it is complained that the daughter of the petitioner by name Bonthu Madhavi Latha was kidnapped by one Pippalla Surendranath, S/o. Babu Rao, R/o. Satyanarayanapuram,

Vijayawada, and that though a complaint in this regard was given in Tadepalligudem Town Police Station, on 29.07.2006, the Police are willfully delaying the registration of the same.

3. In response to the notice issued by this Court, the second respondent-Inspector of Police, Tadepalligudem Circle, West Godavari District, filed counter-affidavit denying all the allegations made in the said letter and it is further stated that on receipt of complaint from the petitioner on 29.08.2006, a case in Crime No.164 of 2006 was registered, under the head 'Woman Missing" on the very same day and the investigation was taken up.

4. It appears that, in this regard, some other witnesses were also examined by the Police and during the course of investigation, the daughter of the petitioner was traced and brought to the Police Station and on requisition, the Principal Junior Civil Judge, Tadepalligudem, recorded the statement of the said Madhavi Latha, under Section-164 Cr.P.C., on 19.09.2006, wherein she stated that she married the said Pippalla Surendranath and therefore, the same cannot be treated as a case of kidnap. A copy of 164 statement of the said Madhavi Latha is also annexed to the counter-affidavit along with the certificate of marriage showing that the alleged kidnapped girl was married to one Pippalla Surendranath.

5. In view of the above revelations made in the counter-affidavit, we do not find any merit to entertain this writ petition and the same is liable to be closed.

6. Accordingly, the writ petition is closed, at the stage of admission.

D.S.R.VARMA, J

27.09.2006
DR/KRK

P.SWAROOP REDDY, J